

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Inventor: Samuel BOGOCH

Serial No.: 08/031,562

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For: RECOGNIN VACCINES

ASSISTANT COMMISSIONER
OF PATENTS
Washington D.C. 20231



Art Unit: 1813

Examiner: J. Krsek-Staples

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REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.197(b)

Sir:

This is in response to the Decision On Appeal of the Board of Patent Appeals and Interferences mailed November 30, 2000. Accordingly, this Request is due on or before January 30, 2001, which is within two months of the date of the Board's original decision.

Appellant respectfully requests that the Board of Patent Appeals and Interferences (the "Board") reconsider its original decision in which it affirmed the Examiner's rejection of the claims on appeal (claims 1 and 2) under 35 U.S.C. § 112, first paragraph as allegedly being non-enabled. It is respectfully submitted that the Board overlooked evidence of record which clearly supports Appellant's assertions that others in the field of cancer research are actively studying and testing other antigenic peptides for use in treating or controlling cancer. The Board also appears to have overlooked evidence of Phase I clinical trials of these antigenic peptide vaccines that have borne out the cytotoxicity of the antibodies raised therewith and the effectiveness of these peptide vaccines in conferring immunological benefit to many patients. It is also respectfully submitted that the Board misapprehended the